UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,608	06/28/2001	Ciprian Agapi	6169-208	5102

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EXAMINER
SHORTLEDGE, THOMAS E

ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/894,608	AGAPI ET AL.
		Examiner	Art Unit	
		Thomas E. Shortledge	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>07 September 2005</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-17</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-17</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>28 June 2001</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to Remarks filed 09/07/2005.

2. Claims 1-17 are pending in the application. Claims 1, 3, 7, 8, 11 and 13 have

been amended. Claim 17 has been added.

3. The 35 USC 112 rejection of claims 2 and 13 has been withdrawn due to the

amendments.

Response to Arguments

4. Applicant's arguments with respect to claims 1-17 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claim 1-17 have rejected under 35 U.S.C. 103(a) as being unpatentable over Pitt

et al. (An Improved Auditory Interface for the Exploration of Lists) in view of Crosby et

al. (2003/0158738).

        As to claims 1, 7, and 11, Pitt et al. teach:

        dynamically grouping said selecting items in a list based on sequentially

positioned symbols in said selected items which are common to one another (sorting file

names and groups together those which share a common string of characters, col. 1

page 56);

        labeling each group of said selected items (creating filenames for each group,

page 56, col. 1);

        audibly presenting each group (file names) label through said speech interface

(using speech to provide a list of the files available, col. 1, page 57); and

        responsive to a selection of one of said audibly presented group labels,

presenting through said speech user interface items in a group corresponding to said

selected group (the down key causes the program to move down to the next level in the

hierarchy, selecting the file name that was last spoken, col. 2, page 57).

        Pitt et al. do not teach:

        providing an audible prompt through a speech user interface, said audible prompt

instructing a user to provide a speech input designating a search topic; nor

        responsive to said user-provided speech input, selecting items from at least one

database containing items corresponding to said search topic.

However, Crosby et al. teach responsive to a prompt inputting speech to conduct

a search, and items within a database are selected based on the input (page 2,

paragraphs 18, 23, and 24).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to combine the teachings of Pitt et al. with the methods of Crosby et al.

to create a system to allow a user to receive wanted information is a more natural

manner, as taught by Crosby et al. (page 1, paragraphs 5 and 6).

As to claims 2, 8, and 12, Pitt et al. teach:

parsing a list of items into component symbols (grouping file names based on a

determined string length, and strings of characters shared between them, (col. 2, page

56). It is necessary to parse each of the strings to find the strings into the correct length

of characters, then to compare each of the parsed strings with each to find those that

match);

identifying among said parsed items sequentially positioned component symbols

which are common as between at least two of said items (any filenames which share a

string of characters are placed in a group, col. 2, page 56); and,

associating in a group at least two items having said identified component

symbols in common, (any filenames which share a string of characters are placed in a

group, col. 2, page 56).

As to claims 3 and 13, Pitt et al. teach:

forming a label based on said sequentially positioned component symbols which are common as between said at lest two of said items (strings that share strings of characters that are the same are group together, in a group that represents the shared character string, col. 2, page 56); and,

assigning said formed label to an association, (naming the group of filenames, col. 2, page 56).

As to claims 4, 9 and 14, Pitt et al. teach:

sorting said list alphabetically based on initial symbols in said items in said list (sorting the filenames alpha-numerically, col. 2, page 56);

further sorting said list alphabetically based on subsequent sequentially encountered symbols in said items in said list (further sorting the filenames into those which have purely alphabetical extensions, those with numerical extensions, and those with alpha-numeric extensions).

As to claims 5 and 15, Pitt et al. does not explicitly teach the step of ignoring article symbols when performing said sorting steps. However, Pitt et al. teach sorting the filenames based on a determined character string length, then similar strings are grouped, (col. 2, page 56). It would have been obvious to one of ordinary skill in the art that as the filenames are parsed into the determined lengths, articles symbols would be ignored, given that filenames are only grouped based on the comparison of the parsed strings.

As to claims 6 and 16, Pitt et al. teach the labeling step comprises the step of forming a label comprising said initial and subsequent sequentially encountered symbols in said items in said list, which are common as between at least two of said items (the filenames sharing the character string, "SORT" are all placed within that group, col. 2, page 56).

As to claim 10, Pitt et al. do not teach a symbol exclusion component for preventing said sorter from considering selected symbols when sorting a list of items. However, Pitt et al. teach sorting the filenames based on a determined character string length, then similar strings are grouped, (col. 2, page 56). It would have been obvious to one of ordinary skill in the art that as the filenames are parsed into the determined lengths, articles symbols would be ignored, given that filenames are only grouped based on the comparison of the parsed strings.

As to claim 17, Pitt et al. teach:

a data processing system (page 51, paragraph 2);

a compressed list processor in communication with said data processing system, (creating a grouped list, sorting file into different groups, page 56 paragraph 3-10);

a selecting unit for selecting items from the at least one database, said selected
items corresponding to said search topic (selecting the topic using a key, col. 2 page
57);

a grouping unit for dynamically grouping said selected items in a list based on
sequentially positioned symbols in said items which are common to one another (sorting
file names and groups together those which share a common string of characters, col. 1
page 56);

a labeling unit for labeling each group of said selected items (creating filenames
for each group, page 56, col. 1); and

a presentation unit for supplying each group label to said speech server which
audible presents each group label to a user and in response to said user selecting an
audibly presented group label, presents items in a group corresponding to said group
label (the down key causes the program to move down to the next level in hierarchy,
selecting the file name that was last spoken, col. 2, page 57).

Pitt et al. do not teach:

at least one database searchable by said data processor; nor

a speech server in communication with data processing system for generating an
audible prompt that instructs a user to provide a speech input designating a search
topic.

However, Crosby et al. teach responsive to a prompt inputting speech to conduct
a search, and items within a database are selected based on the input (page 2,
paragraphs 18, 23, and 24).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to combine the teachings of Pitt et al. with the methods of Crosby et al.

to create a system to allow a user to receive wanted information is a more natural

manner, as taught by Crosby et al. (page 1, paragraphs 5 and 6).

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. See PTO-892.

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thomas E. Shortledge whose telephone number is

(571)272-7612. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

TS
11/23/2005

VIJAY CHAWAN
PRIMARY EXAMINER